

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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SANTOS ANDRE GONZALES, on behalf of
himself and all those similarly situated,

Plaintiff,

-against-

**NOTICE OF VOLUNTARY
DISMISSAL PURSUANT
TO F.R.C.P. 41(a)(1)(A)(ii)**

Docket No.: 14-CV-2824

LOVIN OVEN CATERING OF SUFFOLK, INC. and
LOVIN OVEN CATERING OF SUFFOLK, LLC and
LOVIN' OVEN CATERING OF SUFFOLK, LLC and
LOVIN' OVEN/LANDS END CORP. and LOVIN'
OVEN MOTEL ASSOCIATES, LLC and LOVIN'
OVEN/FELICE'S CORP. and GERARD SCOLLAN,
in his individual and professional capacities,

Defendants.

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NOTICE OF VOLUNTARY DISMISSAL PURSUANT TO F.R.C.P. 41(a)(1)(A)(ii)

WHEREAS Plaintiff SANTOS ANDRE GONZALEZ filed a Complaint in the United States District Court, Eastern District of New York on May 5, 2015, alleging that LOVIN OVEN CATERING OF SUFFOLK, INC., LOVIN OVEN CATERING OF SUFFOLK, LLC, LOVIN' OVEN CATERING OF SUFFOLK, LLC, LOVIN' OVEN/LANDS END CORP., LOVIN' OVEN MOTEL ASSOCIATES, LLC, LOVIN' OVEN/FELICE'S CORP. and GERARD SCOLLAN, in his individual and professional capacities (together as "Defendants"), committed violations of the Fair Labor Standards Act and the New York State Labor Law ("the Action"); and

WHEREAS Lelis S. Turcios ("Turcios") filed a Consent to Join Collective Action with the Court on June 2, 2014, thereby becoming an opt-in plaintiff in the Action; and

WHEREAS Turcios designated Borrelli & Associates, P.L.L.C. to represent him for the purpose of pursuing this action; and

WHEREAS Turcios independently settled his claims against the Defendants and advised Plaintiff's counsel that he no longer wishes to pursue his claims in this case.

IT IS HEREBY STIPULATED AND AGREED by and between the parties that all claims on behalf of Lelis S. Turcios are discontinued and dismissed pursuant to Federal Rule of Civil Procedure 41(a), with prejudice and with each party to bear its own costs, expenses, disbursements and attorneys' fees with respect to these claims.

Dated: Great Neck, New York
August 6, 2015

BORRELLI & ASSOCIATES, P.L.L.C.

By: 

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**CAMPOLO, MIDDLETON
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SO ORDERED:

The Honorable Steven I. Locke, U.S.M.J.